

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

W. D. Pensch
US DISTRICT JUDGE

UNITED STATES OF AMERICA,

Plaintiff / Respondent,

v.

No. 3:21-cr-00264-1

BRIAN KELSEY,

Defendant / Movant.

**BRIAN KELSEY'S MOTION FOR LEAVE TO FILE
EXCESS PAGES**

Defendant/Movant Brian Kelsey moves to expand any applicable page limits on his Reply to the government's Response in Opposition (Dkt. No. 207, "Response") to his Emergency Motion for Release Pending Decision on his Motion to Vacate Sentence Pursuant to 28 U.S.C. § 2255 (Dkt. No. 197) to 10 pages. As grounds for the motion, Mr. Kelsey states as follows:

1. Middle District of Tennessee Local Rule 7.01(a)(4) generally states that reply memoranda shall not exceed 5 pages without leave of the Court.
2. The application of Local Rule 7.01, which references various types of motions filed under the Federal Rules of Civil Procedure, to motions and memoranda filed in criminal cases is unclear.
3. Mr. Kelsey acknowledges that "[r]epley briefs of more than 5 pages are discouraged," in this Court, but he respectfully requests leave to exceed any applicable or preferred page limitation given the unusual and exceptional circumstances present in this case.